

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THE OFFICE OF THE COMMISSIONER
OF BASEBALL,

Petitioner,

v.

MICHAEL S. SITRICK,

Respondent.

Case No. 13 Civ. 7990 (ER) (ECF Case)

**NOTICE OF
CROSS-MOTION**

PLEASE TAKE NOTICE that upon the Cross-Petition of intervenor and cross-movant Alexander Emmanuel Rodriguez (“Mr. Rodriguez”), dated November 15, 2013, the Declaration of Jordan W. Siev, Esq., dated November 15, 2013, and all exhibits annexed thereto, the Declaration of Roy Black, Esq., dated November 15, 2013, and the accompanying Memorandum of Law, dated November 15, 2013, and upon all of the prior pleadings and proceedings heretofore had herein, Mr. Rodriguez, by and through his undersigned counsel, will cross-move before the Honorable Edgardo Ramos, Room 619, at the United States District Court, Southern District of New York, 40 Foley Square, New York, NY 10007, on November 19, 2013 at 4:30 p.m., or a subsequent date and time to be determined by the Court, for an Order:

1. Pursuant to Rule 24 of the Federal Rules of Civil Procedure, permitting Mr. Rodriguez to intervene in the above-captioned action;
2. Pursuant to Rule 45 of the Federal Rules of Civil Procedure, quashing the Arbitration Subpoena issued by the Petitioner to Respondent on or about September 19, 2013 (the “Subpoena”) or, in the alternative, for a protective order limiting the Subpoena pursuant to Rule 26(c) of the Federal Rules of Civil Procedure;
3. Granting the Cross-Petition; and
4. Granting such other and further relief the Court deems just, proper, and equitable.

PLEASE TAKE FURTHER NOTICE that, pursuant to this Court's Order to Show Cause dated November 12, 2013, answering papers, if any, in connection with the foregoing motions are to be served so as to be received by the undersigned, as well as counsel for Respondent, by November 18, 2013.

Date: New York, New York
November 15, 2013

REED SMITH LLP

By: 

Jordan W. Siev, Esq.
James C. McCarroll, Esq.
Casey D. Laffey, Esq.
599 Lexington Avenue
New York, New York 10022
Tel: (212) 521-5400
Fax: (212) 521-5450

TACOPINA SEIGEL & TURANO, P.C.
Joseph Tacopina, Esq.
275 Madison Avenue
New York, New York 10016
Tel: (212) 227-8877

GORDON & REES LLP
Wm. David Cornwell, Sr., Esq.
3455 Peachtree Road, Suite 1500
Atlanta, Georgia 30326
Tel: (404) 869-9054

*Attorneys for Intervenor and Cross-Movant
Alexander Emmanuel Rodriguez*

TO: PROSKAUER ROSE LLP
Howard L. Ganz
Neil H. Abramson
Adam M. Lupion
11 Times Square
New York, NY 10036
Tel. (212) 969-3000
Fax (212) 969-2900
hganz@proskauer.com
nabramson@proskauer.com
alupion@proskauer.com

*Attorneys for Petitioner
The Office of the Commissioner of Baseball*

McKOOL SMITH, P.C.
Peter J. Most
Gayle R. Klein
One Bryant Park, 47th Floor
New York, NY 10036
Tel. (212) 402-9405
Fax (212) 402-9444
pmost@mckoolsmith.com
gklein@mckoolsmith.com

*Attorneys for Respondent
Michael S. Sitrick*